

AMENDED IN ASSEMBLY APRIL 3, 2008

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 3072

**Introduced by Committee on Governmental Organization (Torrico
(Chair), Charles Calderon, Davis, De Leon, Evans, Jeffries,
Levine, Mendoza, Portantino, and Soto)**

March 13, 2008

~~An act to add Article 9 (commencing with Section 12093.01) to Chapter 1 of Part 2 of Division 3 of Title 2 of the Government Code,~~
An act to add Article 9 (commencing with Section 12093.01) to Chapter 1 of Part 2 of Division 3 of Title 2 of, and to repeal Sections 12012.25, 12012.30, 12012.35, 12012.40, 12012.45, 12012.46, 12012.465, 12012.47, 12012.475, 12012.48, 12012.485, 12012.49, 12012.495, 12012.5, 12012.51, 12012.515, and 12012.52, of, the Government Code, relating to gaming.

LEGISLATIVE COUNSEL'S DIGEST

AB 3072, as amended, Committee on Governmental Organization.
Tribal gaming: compacts.

Existing federal law, the Indian Gaming Regulatory Act of 1988, provides for the negotiation and execution of tribal-state gaming compacts for the purpose of authorizing certain types of gaming on Indian lands within a state. The California Constitution authorizes the Governor to negotiate and conclude compacts, subject to ratification by the Legislature.

Existing law ratifies a number of tribal-state gaming compacts between the State of California and specified Indian tribes.

This bill would reorganize these provisions.

Existing federal law, the Indian Gaming Regulatory Act of 1988, provides for the negotiation and execution of tribal-state gaming compacts for the purpose of authorizing certain types of gaming on Indian lands within a state. The California Constitution authorizes the Governor to negotiate and conclude compacts, subject to ratification by the Legislature. Existing law ratifies a number of tribal-state gaming compacts between the State of California and specified Indian tribes.

This bill would state the intent of the Legislature to codify statutes relating to tribal-state gaming compacts in a specified location within the provisions of law applicable to the Governor.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 12012.25 of the Government Code is
2 repealed.
3 12012.25.—(a) The following tribal-state gaming compacts
4 entered into in accordance with the Indian Gaming Regulatory Act
5 of 1988 (18 U.S.C. Sec. 1166 to 1168, incl., and 25 U.S.C. Sec.
6 2701 et seq.) are hereby ratified:
7 (1) The compact between the State of California and the Alturas
8 Rancheria, executed on September 10, 1999.
9 (2) The compact between the State of California and the Barona
10 Band of Mission Indians, executed on September 10, 1999.
11 (3) The compact between the State of California and the Big
12 Sandy Rancheria Band of Mono Indians, executed on September
13 10, 1999.
14 (4) The compact between the State of California and the Big
15 Valley Rancheria, executed on September 10, 1999.
16 (5) The compact between the State of California and the Bishop
17 Paiute Tribe, executed on September 10, 1999.
18 (6) The compact between the State of California and the Blue
19 Lake Rancheria, executed on September 10, 1999.
20 (7) The compact between the State of California and the Buena
21 Vista Band of Me-wuk Indians, executed on September 10, 1999.
22 (8) The compact between the State of California and the
23 Cabazon Band of Mission Indians, executed on September 10,
24 1999.

1 ~~(9) The compact between the State of California and the Cahto~~
2 ~~Tribe of Laytonville, executed on September 10, 1999.~~

3 ~~(10) The compact between the State of California and the~~
4 ~~Cahuilla Band of Mission Indians, executed on September 10,~~
5 ~~1999.~~

6 ~~(11) The compact between the State of California and the Campo~~
7 ~~Band of Mission Indians, executed on September 10, 1999.~~

8 ~~(12) The compact between the State of California and the~~
9 ~~Chemehuevi Indian Tribe, executed on September 10, 1999.~~

10 ~~(13) The compact between the State of California and the~~
11 ~~Chicken Ranch Rancheria, executed on September 10, 1999.~~

12 ~~(14) The compact between the State of California and the Coast~~
13 ~~Indian Community of the Resighini Rancheria, executed on~~
14 ~~September 10, 1999.~~

15 ~~(15) The compact between the State of California and the Colusa~~
16 ~~Indian Community, executed on September 10, 1999.~~

17 ~~(16) The compact between the State of California and the Dry~~
18 ~~Creek Rancheria Band of Pomo Indians, executed on September~~
19 ~~10, 1999.~~

20 ~~(17) The compact between the State of California and the Elk~~
21 ~~Valley Rancheria, executed on September 10, 1999.~~

22 ~~(18) The compact between the State of California and the~~
23 ~~Ewiiapaayp Band of Kumeyaay, executed on September 10, 1999.~~

24 ~~(19) The compact between the State of California and the Hoopa~~
25 ~~Valley Tribe, executed on September 10, 1999.~~

26 ~~(20) The compact between the State of California and the~~
27 ~~Hopland Band of Pomo Indians, executed on September 10, 1999.~~

28 ~~(21) The compact between the State of California and the~~
29 ~~Jackson Band of Mi-Wuk Indians, executed on September 10,~~
30 ~~1999.~~

31 ~~(22) The compact between the State of California and the Jamul~~
32 ~~Indian Reservation, executed on September 10, 1999.~~

33 ~~(23) The compact between the State of California and the La~~
34 ~~Jolla Indian Reservation, executed on September 10, 1999.~~

35 ~~(24) The compact between the State of California and the~~
36 ~~Manzanita Tribe of Kumeyaay Indians, executed on September~~
37 ~~10, 1999.~~

38 ~~(25) The compact between the State of California and the Mesa~~
39 ~~Grande Band of Mission Indians, executed on September 10, 1999.~~

- 1 ~~(26) The compact between the State of California and the~~
2 ~~Middletown Rancheria Band of Pomo Indians, executed on~~
3 ~~September 10, 1999.~~
4 ~~(27) The compact between the State of California and the~~
5 ~~Morongo Band of Mission Indians, executed on September 10,~~
6 ~~1999.~~
7 ~~(28) The compact between the State of California and the~~
8 ~~Mooretown Rancheria Concow Maidu Tribe, executed on~~
9 ~~September 10, 1999.~~
10 ~~(29) The compact between the State of California and the Pala~~
11 ~~Band of Mission Indians, executed on September 10, 1999.~~
12 ~~(30) The compact between the State of California and the~~
13 ~~Paskenta Band of Nomlaki Indians, executed on September 10,~~
14 ~~1999.~~
15 ~~(31) The compact between the State of California and the~~
16 ~~Pechanga Band of Luiseno Indians, executed on September 10,~~
17 ~~1999.~~
18 ~~(32) The compact between the State of California and the~~
19 ~~Picayune Rancheria of Chukchansi Indians, executed on September~~
20 ~~10, 1999.~~
21 ~~(33) The compact between the State of California and the~~
22 ~~Quechan Nation, executed on September 10, 1999.~~
23 ~~(34) The compact between the State of California and the~~
24 ~~Redding Rancheria, executed on September 10, 1999.~~
25 ~~(35) The compact between the State of California and the~~
26 ~~Rincon, San Luiseno Band of Mission Indians, executed on~~
27 ~~September 10, 1999.~~
28 ~~(36) The compact between the State of California and the~~
29 ~~Rumsey Band of Wintun Indians, executed on September 10, 1999.~~
30 ~~(37) The compact between the State of California and the~~
31 ~~Robinson Rancheria Band of Pomo Indians, executed on September~~
32 ~~10, 1999.~~
33 ~~(38) The compact between the State of California and the~~
34 ~~Rohnerville Rancheria, executed on September 10, 1999.~~
35 ~~(39) The compact between the State of California and the San~~
36 ~~Manuel Band of Mission Indians, executed on September 10, 1999.~~
37 ~~(40) The compact between the State of California and the San~~
38 ~~Pasqual Band of Mission Indians, executed on September 10, 1999.~~
39 ~~(41) The compact between the State of California and the Santa~~
40 ~~Rosa Rancheria Tachi Tribe, executed on September 10, 1999.~~

1 ~~(42) The compact between the State of California and the Santa~~
2 ~~Ynez Band of Chumash Indians, executed on September 10, 1999.~~

3 ~~(43) The compact between the State of California and the~~
4 ~~Sherwood Valley Rancheria Band of Pomo Indians, executed on~~
5 ~~September 10, 1999.~~

6 ~~(44) The compact between the State of California and the~~
7 ~~Shingle Springs Band of Miwok Indians, executed on September~~
8 ~~10, 1999.~~

9 ~~(45) The compact between the State of California and the Smith~~
10 ~~River Rancheria, executed on September 10, 1999.~~

11 ~~(46) The compact between the State of California and the~~
12 ~~Soboba Band of Mission Indians, executed on September 10, 1999.~~

13 ~~(47) The compact between the State of California and the~~
14 ~~Susanville Indian Rancheria, executed on September 10, 1999.~~

15 ~~(48) The compact between the State of California and the Sycuan~~
16 ~~Band of Kumeyaay Indians, executed on September 10, 1999.~~

17 ~~(49) The compact between the State of California and the Table~~
18 ~~Mountain Rancheria, executed on September 10, 1999.~~

19 ~~(50) The compact between the State of California and the~~
20 ~~Trinidad Rancheria, executed on September 10, 1999.~~

21 ~~(51) The compact between the State of California and the Tule~~
22 ~~River Indian Tribe, executed on September 10, 1999.~~

23 ~~(52) The compact between the State of California and the~~
24 ~~Tuolumne Band of Me-wuk Indians, executed on September 10,~~
25 ~~1999.~~

26 ~~(53) The compact between the State of California and the~~
27 ~~Twenty Nine Palms Band of Mission Indians, executed on~~
28 ~~September 10, 1999.~~

29 ~~(54) The compact between the State of California and the Tyme~~
30 ~~Maidu Tribe, Berry Creek Rancheria, executed on September 10,~~
31 ~~1999.~~

32 ~~(55) The compact between the State of California and the United~~
33 ~~Auburn Indian Community, executed on September 10, 1999.~~

34 ~~(56) The compact between the State of California and the Viejas~~
35 ~~Band of Kumeyaay Indians, executed on September 10, 1999.~~

36 ~~(57) The compact between the State of California and the Coyote~~
37 ~~Valley Band of Pomo Indians, executed on September 10, 1999.~~

38 ~~(b) Any other tribal-state gaming compact entered into between~~
39 ~~the State of California and a federally recognized Indian tribe~~

1 which is executed after September 10, 1999, is hereby ratified if
2 both of the following are true:

3 ~~(1) The compact is identical in all material respects to any of~~
4 ~~the compacts expressly ratified pursuant to subdivision (a). A~~
5 ~~compact shall be deemed to be materially identified to a compact~~
6 ~~ratified pursuant to subdivision (a) if the Governor certifies it is~~
7 ~~materially identical at the time he or she submits it to the~~
8 ~~Legislature.~~

9 ~~(2) The compact is not rejected by each house of the Legislature,~~
10 ~~two-thirds of the membership thereof concurring, within 30 days~~
11 ~~of the date of the submission of the compact to the Legislature by~~
12 ~~the Governor. However, if the 30-day period ends during a joint~~
13 ~~recess of the Legislature, the period shall be extended until the~~
14 ~~fifteenth day following the day on which the Legislature~~
15 ~~reconvenes.~~

16 ~~(c) The Legislature acknowledges the right of federally~~
17 ~~recognized Indian tribes to exercise their sovereignty to negotiate~~
18 ~~and enter into tribal-state gaming compacts that are materially~~
19 ~~different from the compacts ratified pursuant to subdivision (a).~~
20 ~~These compacts shall be ratified by a statute approved by each~~
21 ~~house of the Legislature, a majority of the members thereof~~
22 ~~concurring, and signed by the Governor, unless the statute contains~~
23 ~~implementing or other provisions requiring a supermajority vote,~~
24 ~~in which case the statute shall be approved in the manner required~~
25 ~~by the Constitution.~~

26 ~~(d) The Governor is the designated state officer responsible for~~
27 ~~negotiating and executing, on behalf of the state, tribal-state gaming~~
28 ~~compacts with federally recognized Indian tribes located within~~
29 ~~the State of California pursuant to the federal Indian Gaming~~
30 ~~Regulatory Act of 1988 (18 U.S.C. Sec. 1166 to 1168, incl., and~~
31 ~~25 U.S.C. Sec. 2701 et seq.) for the purpose of authorizing class~~
32 ~~III gaming, as defined in that act, on Indian lands within this state.~~
33 ~~Nothing in this section shall be construed to deny the existence of~~
34 ~~the Governor's authority to have negotiated and executed~~
35 ~~tribal-state gaming compacts prior to the effective date of this~~
36 ~~section.~~

37 ~~(e) Following completion of negotiations conducted pursuant~~
38 ~~to subdivision (b) or (c), the Governor shall submit a copy of any~~
39 ~~executed tribal-state compact to both houses of the Legislature for~~

1 ratification, and shall submit a copy of the executed compact to
2 the Secretary of State for purposes of subdivision (f):

3 (f) ~~Upon receipt of a statute ratifying a tribal-state compact~~
4 ~~negotiated and executed pursuant to subdivision (c), or upon the~~
5 ~~expiration of the review period described in subdivision (b), the~~
6 ~~Secretary of State shall forward a copy of the executed compact~~
7 ~~and the ratifying statute, if applicable, to the Secretary of the~~
8 ~~Interior for his or her review and approval, in accordance with~~
9 ~~paragraph (8) of subsection (d) of Section 2710 of Title 25 of the~~
10 ~~United States Code.~~

11 (g) ~~In deference to tribal sovereignty, neither the execution of~~
12 ~~a tribal-state gaming compact nor the on-reservation impacts of~~
13 ~~compliance with the terms of a tribal-state gaming compact shall~~
14 ~~be deemed to constitute a project for purposes of the California~~
15 ~~Environmental Quality Act (Division 13 (commencing with Section~~
16 ~~21000) of the Public Resources Code).~~

17 *SEC. 2. Section 12012.30 of the Government Code is repealed.*

18 ~~12012.30.—The tribal-state gaming compact entered into in~~
19 ~~accordance with the Indian Gaming Regulatory Act of 1988 (18~~
20 ~~U.S.C. Secs. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.)~~
21 ~~between the State of California and the Torres-Martinez Desert~~
22 ~~Cahuilla Indians, executed on August 12, 2003, is hereby ratified.~~

23 *SEC. 3. Section 12012.35 of the Government Code is repealed.*

24 ~~12012.35.—(a) The tribal-state gaming compact entered into in~~
25 ~~accordance with the Indian Gaming Regulatory Act of 1988 (18~~
26 ~~U.S.C. Secs. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.)~~
27 ~~between the State of California and the La Posta Band of Diegueño~~
28 ~~Mission Indians of the La Posta Indian Reservation, California,~~
29 ~~executed on September 9, 2003, is hereby ratified.~~

30 (b) ~~The tribal-state gaming compact entered into in accordance~~
31 ~~with the Indian Gaming Regulatory Act of 1988 (18 U.S.C. Secs.~~
32 ~~1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.) between the~~
33 ~~State of California and the Santa Ysabel Band of Diegueño Mission~~
34 ~~Indians of the Santa Ysabel Reservation, California, executed on~~
35 ~~September 8, 2003, is hereby ratified.~~

36 *SEC. 4. Section 12012.40 of the Government Code is repealed.*

37 ~~12012.40.—(a) The following amendments to tribal-state gaming~~
38 ~~compacts entered into in accordance with the Indian Gaming~~
39 ~~Regulatory Act of 1988 (18 U.S.C. Sec. 1166 to 1168, incl., and~~
40 ~~25 U.S.C. Sec. 2701 et seq.) are hereby ratified:~~

1 ~~(1) The amendment of the compact between the State of~~
2 ~~California and the Pala Band of Mission Indians, executed on June~~
3 ~~21, 2004.~~

4 ~~(2) The amendment of the compact between the State of~~
5 ~~California and the Pauma Band of Luiseno Mission Indians of the~~
6 ~~Pauma and Yuima Reservation, executed on June 21, 2004.~~

7 ~~(3) The amendment of the compact between the State of~~
8 ~~California and the Rumsey Band of Wintun Indians, executed on~~
9 ~~June 21, 2004.~~

10 ~~(4) The amendment of the compact between the State of~~
11 ~~California and the United Auburn Indian Community, executed~~
12 ~~on June 21, 2004.~~

13 ~~(5) The amendment of the compact between the State of~~
14 ~~California and the Viejas Band of Kumeyaay Indians, executed~~
15 ~~on June 21, 2004.~~

16 ~~(b) (1) In deference to tribal sovereignty, none of the following~~
17 ~~shall be deemed a project for purposes of the California~~
18 ~~Environmental Quality Act (Division 13 (commencing with Section~~
19 ~~21000) of the Public Resources Code):~~

20 ~~(A) The execution of an amendment of tribal-state gaming~~
21 ~~compact ratified by this section.~~

22 ~~(B) The execution of an intergovernmental agreement between~~
23 ~~a tribe and a county or city government negotiated pursuant to the~~
24 ~~express authority of, or as expressly referenced in, an amended~~
25 ~~tribal-state gaming compact ratified by this section.~~

26 ~~(C) The on-reservation impacts of compliance with the terms~~
27 ~~of an amended tribal-state gaming compact ratified by this section.~~

28 ~~(D) The sale of compact assets as defined in subdivision (a) of~~
29 ~~Section 63048.6 or the creation of the special purpose trust~~
30 ~~established pursuant to Section 63048.65.~~

31 ~~(2) Except as expressly provided herein, nothing in this~~
32 ~~subdivision shall be construed to exempt a city, county, or a city~~
33 ~~and county from the requirements of the California Environmental~~
34 ~~Quality Act.~~

35 ~~SEC. 5. Section 12012.45 of the Government Code is repealed.~~

36 ~~12012.45. (a) The following tribal-state gaming compacts and~~
37 ~~amendments of tribal-state gaming compacts entered into in~~
38 ~~accordance with the Indian Gaming Regulatory Act of 1988 (18~~
39 ~~U.S.C. Sec. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.)~~
40 ~~are hereby ratified:~~

1 ~~(1) The amendment of the compact between the State of~~
2 ~~California and the Buena Vista Rancheria of Me-Wuk Indians,~~
3 ~~executed on August 23, 2004.~~

4 ~~(2) The compact between the State of California and the Fort~~
5 ~~Mojave Indian Tribe, executed on August 23, 2004.~~

6 ~~(3) The compact between the State of California and the Coyote~~
7 ~~Valley Band of Pomo Indians, executed on August 23, 2004.~~

8 ~~(4) The amendment to the compact between the State of~~
9 ~~California and the Ewiiapaayp Band of Kumeyaay Indians,~~
10 ~~executed on August 23, 2004.~~

11 ~~(5) The amendment to the compact between the State of~~
12 ~~California and the Quechan Tribe of the Fort Yuma Indian~~
13 ~~Reservation, executed on June 26, 2006.~~

14 ~~(b) The terms of each compact apply only to the State of~~
15 ~~California and the tribe that has signed it, and the terms of these~~
16 ~~compacts do not bind any tribe that is not a signatory to any of the~~
17 ~~compacts. The Legislature acknowledges the right of federally~~
18 ~~recognized tribes to exercise their sovereignty to negotiate and~~
19 ~~enter into compacts with the state that are materially different from~~
20 ~~the compacts ratified pursuant to subdivision (a).~~

21 ~~(c) (1) In deference to tribal sovereignty, none of the following~~
22 ~~shall be deemed a project for purposes of the California~~
23 ~~Environmental Quality Act (Division 13 (commencing with Section~~
24 ~~21000) of the Public Resources Code):~~

25 ~~(A) The execution of an amendment of a tribal-state gaming~~
26 ~~compact ratified by this section.~~

27 ~~(B) The execution of a tribal-state gaming compact ratified by~~
28 ~~this section.~~

29 ~~(C) The execution of an intergovernmental agreement between~~
30 ~~a tribe and a county or city government negotiated pursuant to the~~
31 ~~express authority of, or as expressly referenced in, a tribal-state~~
32 ~~gaming compact or an amended tribal-state gaming compact~~
33 ~~ratified by this section.~~

34 ~~(D) The execution of an intergovernmental agreement between~~
35 ~~a tribe and the California Department of Transportation negotiated~~
36 ~~pursuant to the express authority of, or as expressly referenced in,~~
37 ~~a tribal-state gaming compact or an amended tribal-state gaming~~
38 ~~compact ratified by this section.~~

1 ~~(E) The on-reservation impacts of compliance with the terms~~
2 ~~of a tribal-state gaming compact or an amended tribal-state gaming~~
3 ~~compact ratified by this section.~~

4 ~~(F) The sale of compact assets, as defined in subdivision (a) of~~
5 ~~Section 63048.6, or the creation of the special purpose trust~~
6 ~~established pursuant to Section 63048.65.~~

7 ~~(2) Except as expressly provided herein, nothing in this~~
8 ~~subdivision shall be construed to exempt a city, county, a city and~~
9 ~~county, or the California Department of Transportation from the~~
10 ~~requirements of the California Environmental Quality Act.~~

11 ~~(d) Revenue contributions made to the state by tribes pursuant~~
12 ~~to the tribal-state gaming compacts and amendments of tribal-state~~
13 ~~gaming compacts ratified by this section shall be deposited in the~~
14 ~~General Fund.~~

15 ~~SEC. 6. Section 12012.46 of the Government Code is repealed.~~

16 ~~12012.46. (a) The amendment to the tribal-state gaming~~
17 ~~compact entered into in accordance with the Indian Gaming~~
18 ~~Regulatory Act of 1988 (18 U.S.C. Sec. 1166 to 1168, incl., and~~
19 ~~25 U.S.C. Sec. 2701 et seq.) between the State of California and~~
20 ~~the Agua Caliente Band of Cahuilla Indians, executed on August~~
21 ~~8, 2006, is hereby ratified.~~

22 ~~(b) (1) In deference to tribal sovereignty, none of the following~~
23 ~~shall be deemed a project for purposes of the California~~
24 ~~Environmental Quality Act (Division 13 (commencing with Section~~
25 ~~21000) of the Public Resources Code):~~

26 ~~(A) The execution of an amendment to the amended tribal-state~~
27 ~~gaming compact ratified by this section.~~

28 ~~(B) The execution of the amended tribal-state gaming compact~~
29 ~~ratified by this section.~~

30 ~~(C) The execution of an intergovernmental agreement between~~
31 ~~a tribe and a county or city government negotiated pursuant to the~~
32 ~~express authority of, or as expressly referenced in, the amended~~
33 ~~tribal-state gaming compact ratified by this section.~~

34 ~~(D) The execution of an intergovernmental agreement between~~
35 ~~a tribe and the California Department of Transportation negotiated~~
36 ~~pursuant to the express authority of, or as expressly referenced in,~~
37 ~~the amended tribal-state gaming compact ratified by this section.~~

38 ~~(E) The on-reservation impacts of compliance with the terms~~
39 ~~of the amended tribal-state gaming compact ratified by this section.~~

1 ~~(F) The sale of compact assets, as defined in subdivision (a) of~~
2 ~~Section 63048.6, or the creation of the special purpose trust~~
3 ~~established pursuant to Section 63048.65.~~

4 ~~(2) Except as expressly provided herein, nothing in this~~
5 ~~subdivision shall be construed to exempt a city, county, or city~~
6 ~~and county, or the California Department of Transportation, from~~
7 ~~the requirements of the California Environmental Quality Act.~~

8 ~~(c) Revenue contributions made to the state by tribes pursuant~~
9 ~~to the amended tribal-state gaming compact ratified by this section~~
10 ~~shall be deposited in the General Fund.~~

11 ~~SEC. 7. Section 12012.465 of the Government Code is repealed.~~

12 ~~12012.465. The memorandum of agreement entered into~~
13 ~~between the State of California and the Agua Caliente Band of~~
14 ~~Cahuilla Indians, executed on June 27, 2007, is hereby approved.~~

15 ~~SEC. 8. Section 12012.47 of the Government Code is repealed.~~

16 ~~12012.47. (a) The amendment to the tribal-state gaming~~
17 ~~compact entered into in accordance with the Indian Gaming~~
18 ~~Regulatory Act of 1988 (18 U.S.C. Sec. 1166 to 1168, incl., and~~
19 ~~25 U.S.C. Sec. 2701 et seq.) between the State of California and~~
20 ~~the San Manuel Band of Mission Indians, executed on August 28,~~
21 ~~2006, is hereby ratified.~~

22 ~~(b) The terms of the amended compact ratified by this section~~
23 ~~shall apply only to the State of California and the tribe that has~~
24 ~~signed it, and shall not bind any tribe that is not a signatory to the~~
25 ~~amended compact. The Legislature acknowledges the right of~~
26 ~~federally recognized tribes to exercise their sovereignty to negotiate~~
27 ~~and enter into compacts with the state that are materially different~~
28 ~~from the amended compact ratified pursuant to subdivision (a).~~

29 ~~(c) (1) In deference to tribal sovereignty, none of the following~~
30 ~~shall be deemed a project for purposes of the California~~
31 ~~Environmental Quality Act (Division 13 (commencing with Section~~
32 ~~21000) of the Public Resources Code):~~

33 ~~(A) The execution of an amendment to the amended tribal-state~~
34 ~~gaming compact ratified by this section.~~

35 ~~(B) The execution of the amended tribal-state gaming compact~~
36 ~~ratified by this section.~~

37 ~~(C) The execution of an intergovernmental agreement between~~
38 ~~a tribe and a county or city government negotiated pursuant to the~~
39 ~~express authority of, or as expressly referenced in, the amended~~
40 ~~tribal-state gaming compact ratified by this section.~~

1 ~~(D) The execution of an intergovernmental agreement between~~
2 ~~a tribe and the California Department of Transportation negotiated~~
3 ~~pursuant to the express authority of, or as expressly referenced in,~~
4 ~~the amended tribal-state gaming compact ratified by this section.~~

5 ~~(E) The on-reservation impacts of compliance with the terms~~
6 ~~of the amended tribal-state gaming compact ratified by this section.~~

7 ~~(F) The sale of compact assets, as defined in subdivision (a) of~~
8 ~~Section 63048.6, or the creation of the special purpose trust~~
9 ~~established pursuant to Section 63048.65.~~

10 ~~(2) Except as expressly provided herein, nothing in this~~
11 ~~subdivision shall be construed to exempt a city, county, or city~~
12 ~~and county, or the California Department of Transportation, from~~
13 ~~the requirements of the California Environmental Quality Act.~~

14 ~~(d) Revenue contributions made to the state by tribes pursuant~~
15 ~~to the amended tribal-state gaming compact ratified by this section~~
16 ~~shall be deposited in the General Fund, or as otherwise provided~~
17 ~~in the amended compact.~~

18 ~~SEC. 9. Section 12012.475 of the Government Code is repealed.~~

19 ~~12012.475. The letter of agreement entered into between the~~
20 ~~State of California and the San Manuel Band of Mission Indians,~~
21 ~~executed on September 5, 2007, is hereby approved.~~

22 ~~SEC. 10. Section 12012.48 of the Government Code is repealed.~~

23 ~~12012.48. (a) The amendment to the tribal-state gaming~~
24 ~~compact entered into in accordance with the Indian Gaming~~
25 ~~Regulatory Act of 1988 (18 U.S.C. Sec. 1166 to 1168, incl., and~~
26 ~~25 U.S.C. Sec. 2701 et seq.) between the State of California and~~
27 ~~the Morongo Band of Mission Indians, executed on August 29,~~
28 ~~2006, is hereby ratified.~~

29 ~~(b) (1) In deference to tribal sovereignty, none of the following~~
30 ~~shall be deemed a project for purposes of the California~~
31 ~~Environmental Quality Act (Division 13 (commencing with Section~~
32 ~~21000) of the Public Resources Code):~~

33 ~~(A) The execution of an amendment to the amended tribal-state~~
34 ~~gaming compact ratified by this section.~~

35 ~~(B) The execution of the amended tribal-state gaming compact~~
36 ~~ratified by this section.~~

37 ~~(C) The execution of an intergovernmental agreement between~~
38 ~~a tribe and a county or city government negotiated pursuant to the~~
39 ~~express authority of, or as expressly referenced in, the amended~~
40 ~~tribal-state gaming compact ratified by this section.~~

1 ~~(D) The execution of an intergovernmental agreement between~~
2 ~~a tribe and the California Department of Transportation negotiated~~
3 ~~pursuant to the express authority of, or as expressly referenced in,~~
4 ~~the amended tribal-state gaming compact ratified by this section.~~

5 ~~(E) The on-reservation impacts of compliance with the terms~~
6 ~~of the amended tribal-state gaming compact ratified by this section.~~

7 ~~(F) The sale of compact assets, as defined in subdivision (a) of~~
8 ~~Section 63048.6, or the creation of the special purpose trust~~
9 ~~established pursuant to Section 63048.65.~~

10 ~~(2) Except as expressly provided herein, nothing in this~~
11 ~~subdivision shall be construed to exempt a city, county, or city~~
12 ~~and county, or the California Department of Transportation, from~~
13 ~~the requirements of the California Environmental Quality Act.~~

14 ~~(c) Revenue contributions made to the state by tribes pursuant~~
15 ~~to the amended tribal-state gaming compact ratified by this section~~
16 ~~shall be deposited in the General Fund.~~

17 ~~SEC. 11. Section 12012.485 of the Government Code is~~
18 ~~repealed.~~

19 ~~12012.485.—The memorandum of agreement entered into~~
20 ~~between the State of California and the Morongo Band of Mission~~
21 ~~Indians, executed on June 27, 2007, is hereby approved.~~

22 ~~SEC. 12. Section 12012.49 of the Government Code is repealed.~~

23 ~~12012.49. (a) The amendment to the tribal-state gaming~~
24 ~~compact entered into in accordance with the Indian Gaming~~
25 ~~Regulatory Act of 1988 (18 U.S.C. Sec. 1166 to 1168, incl., and~~
26 ~~25 U.S.C. Sec. 2701 et seq.) between the State of California and~~
27 ~~the Pechanga Band of Luiseño Mission Indians, executed on~~
28 ~~August 28, 2006, is hereby ratified.~~

29 ~~(b) (1) In deference to tribal sovereignty, none of the following~~
30 ~~shall be deemed a project for purposes of the California~~
31 ~~Environmental Quality Act (Division 13 (commencing with Section~~
32 ~~21000) of the Public Resources Code):~~

33 ~~(A) The execution of an amendment to the amended tribal-state~~
34 ~~gaming compact ratified by this section.~~

35 ~~(B) The execution of the amended tribal-state gaming compact~~
36 ~~ratified by this section.~~

37 ~~(C) The execution of an intergovernmental agreement between~~
38 ~~a tribe and a county or city government negotiated pursuant to the~~
39 ~~express authority of, or as expressly referenced in, the amended~~
40 ~~tribal-state gaming compact ratified by this section.~~

~~(D) The execution of an intergovernmental agreement between a tribe and the California Department of Transportation negotiated pursuant to the express authority of, or as expressly referenced in, the amended tribal-state gaming compact ratified by this section.~~

~~(E) The on-reservation impacts of compliance with the terms of the amended tribal-state gaming compact ratified by this section.~~

~~(F) The sale of compact assets, as defined in subdivision (a) of Section 63048.6, or the creation of the special purpose trust established pursuant to Section 63048.65.~~

~~(2) Except as expressly provided herein, nothing in this subdivision shall be construed to exempt a city, county, or city and county, or the California Department of Transportation, from the requirements of the California Environmental Quality Act.~~

~~(c) Revenue contributions made to the state by the tribe pursuant to the amended tribal-state gaming compact ratified by this section shall be deposited in the General Fund.~~

SEC. 13. Section 12012.495 of the Government Code is repealed.

~~12012.495.—The memorandum of agreement entered into between the State of California and the Pechanga Band of Luiseño Indians, executed on June 27, 2007, is hereby approved.~~

SEC. 14. Section 12012.5 of the Government Code is repealed.

~~12012.5.—(a) The following tribal-state compacts entered in accordance with the Indian Gaming Regulatory Act of 1988 (18 U.S.C. Sec. 1166 et seq. and 25 U.S.C. Sec. 2701 et seq.) are hereby ratified:~~

~~(1) The compact between the State of California and the Barona Band of Mission Indians, executed on August 12, 1998.~~

~~(2) The compact between the State of California and the Big Sandy Rancheria of Mono Indians, executed on July 20, 1998.~~

~~(3) The compact between the State of California and the Cher-Ae Heights Indian Community of Trinidad Rancheria, executed on July 13, 1998.~~

~~(4) The compact between the State of California and the Jackson Rancheria Band of Miwuk Indians, executed on July 13, 1998.~~

~~(5) The compact between the State of California and the Mooretown Rancheria of Coneow/Maidu Indians, executed on July 13, 1998.~~

1 ~~(6) The compact between the State of California and the Pala~~
2 ~~Band of Mission Indians, as approved by the Secretary of the~~
3 ~~Interior on April 25, 1998.~~

4 ~~(7) The compact between the State of California and the Redding~~
5 ~~Rancheria, executed on August 11, 1998.~~

6 ~~(8) The compact between the State of California and the Rumsey~~
7 ~~Indian Rancheria of Wintun Indians of California, executed on~~
8 ~~July 13, 1998.~~

9 ~~(9) The compact between the State of California and the Syecuan~~
10 ~~Band of Mission Indians, executed on August 12, 1998.~~

11 ~~(10) The compact between the State of California and the Table~~
12 ~~Mountain Rancheria, executed on July 13, 1998.~~

13 ~~(11) The compact between the State of California and the Viejas~~
14 ~~Band of Kumeyaay Indians, executed on or about August 17, 1998.~~

15 ~~The terms of each compact apply only to the State of California~~
16 ~~and the tribe that has signed it, and the terms of these compacts~~
17 ~~do not bind any tribe that is not a signatory to any of the compacts.~~

18 ~~(b) Any other compact entered into between the State of~~
19 ~~California and any other federally recognized Indian tribe which~~
20 ~~is executed after August 24, 1998, is hereby ratified if (1) the~~
21 ~~compact is identical in all material respects to any of the compacts~~
22 ~~ratified pursuant to subdivision (a), and (2) the compact is not~~
23 ~~rejected by each house of the Legislature, two-thirds of the~~
24 ~~membership thereof concurring, within 30 days of the date of the~~
25 ~~submission of the compact to the Legislature by the Governor.~~
26 ~~However, if the 30-day period ends during a joint recess of the~~
27 ~~Legislature, the period shall be extended until the fifteenth day~~
28 ~~following the day on which the Legislature reconvenes. A compact~~
29 ~~will be deemed to be materially identical to a compact ratified~~
30 ~~pursuant to subdivision (a) if the Governor certifies that it is~~
31 ~~materially identical at the time he or she submits it to the~~
32 ~~Legislature.~~

33 ~~(c) The Legislature acknowledges the right of federally~~
34 ~~recognized tribes to exercise their sovereignty to negotiate and~~
35 ~~enter into compacts with the state that are materially different from~~
36 ~~the compacts ratified pursuant to subdivision (a). These compacts~~
37 ~~shall be ratified upon approval of each house of the Legislature, a~~
38 ~~majority of the membership thereof concurring.~~

39 ~~(d) The Governor is the designated state officer responsible for~~
40 ~~negotiating and executing, on behalf of the state, tribal-state gaming~~

~~compacts with federally recognized Indian tribes in the State of California pursuant to the federal Indian Gaming Regulatory Act of 1988 (18 U.S.C. Sec. 1166 et seq. and 25 U.S.C. Sec. 2701 et seq.) for the purpose of authorizing class III gaming, as defined in that act, on Indian lands. Nothing in this section shall be construed to deny the existence of the Governor's authority to have negotiated and executed tribal-state compacts prior to the effective date of this section.~~

~~(e) The Governor is authorized to waive the state's immunity to suit in federal court in connection with any compact negotiated with an Indian tribe or any action brought by an Indian tribe under the Indian Gaming Regulatory Act (18 U.S.C. Sec. 1166 et seq. and 25 U.S.C. Sec. 2701 et seq.).~~

~~(f) In deference to tribal sovereignty, the execution of, and compliance with the terms of, any compact specified under subdivision (a) or (b) shall not be deemed to constitute a project for purposes of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).~~

~~(g) Nothing in this section shall be interpreted to authorize the unilateral imposition of a statewide limit on the number of lottery devices or of any allocation system for lottery devices on any Indian tribe that has not entered into a compact that provides for such a limit or allocation system. Each tribe may negotiate separately with the state over these matters on a government-to-government basis.~~

~~SEC. 15. Section 12012.51 of the Government Code is repealed.~~

~~12012.51. (a) The amendment to the tribal-state gaming compact entered into in accordance with the Indian Gaming Regulatory Act of 1988 (18 U.S.C. Sec. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.) between the State of California and the Syecuan Band of the Kumeyaay Nation, executed on August 30, 2006, is hereby ratified.~~

~~(b) The terms of the amended compact ratified by this section shall apply only to the State of California and the tribe that has signed it, and shall not bind any tribe that is not a signatory to the amended compact. The Legislature acknowledges the right of federally recognized tribes to exercise their sovereignty to negotiate and enter into compacts with the state that are materially different from the amended compact ratified pursuant to subdivision (a).~~

1 ~~(e) (1) In deference to tribal sovereignty, none of the following~~
2 ~~shall be deemed a project for purposes of the California~~
3 ~~Environmental Quality Act (Division 13 (commencing with Section~~
4 ~~21000) of the Public Resources Code):~~

5 ~~(A) The execution of an amendment to the amended tribal-state~~
6 ~~gaming compact ratified by this section.~~

7 ~~(B) The execution of the amended tribal-state gaming compact~~
8 ~~ratified by this section.~~

9 ~~(C) The execution of an intergovernmental agreement between~~
10 ~~a tribe and a county or city government negotiated pursuant to the~~
11 ~~express authority of, or as expressly referenced in, the amended~~
12 ~~tribal-state gaming compact ratified by this section.~~

13 ~~(D) The execution of an intergovernmental agreement between~~
14 ~~a tribe and the California Department of Transportation negotiated~~
15 ~~pursuant to the express authority of, or as expressly referenced in,~~
16 ~~the amended tribal-state gaming compact ratified by this section.~~

17 ~~(E) The on-reservation impacts of compliance with the terms~~
18 ~~of the amended tribal-state gaming compact ratified by this section.~~

19 ~~(F) The sale of compact assets, as defined in subdivision (a) of~~
20 ~~Section 63048.6, or the creation of the special purpose trust~~
21 ~~established pursuant to Section 63048.65.~~

22 ~~(2) Except as expressly provided herein, nothing in this~~
23 ~~subdivision shall be construed to exempt a city, county, or city~~
24 ~~and county, or the California Department of Transportation, from~~
25 ~~the requirements of the California Environmental Quality Act.~~

26 ~~(d) Revenue contributions made to the state by the tribe pursuant~~
27 ~~to the amended tribal-state gaming compact ratified by this section~~
28 ~~shall be deposited in the General Fund, or as otherwise provided~~
29 ~~in the amended compact.~~

30 ~~SEC. 16. Section 12012.515 of the Government Code is~~
31 ~~repealed.~~

32 ~~12012.515. The memorandum of agreement entered into~~
33 ~~between the State of California and the Sycuan Band of the~~
34 ~~Kumeyaay Nation, executed on June 27, 2007, is hereby approved.~~

35 ~~SEC. 17. Section 12012.52 of the Government Code is repealed.~~

36 ~~12012.52. (a) The tribal-state gaming compact entered into in~~
37 ~~accordance with the Indian Gaming Regulatory Act of 1988 (18~~
38 ~~U.S.C. Sec. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.)~~
39 ~~between the State of California and the Yurok Tribe of the Yurok~~
40 ~~Reservation, executed on August 29, 2006, is hereby ratified.~~

~~(b) (1) In deference to tribal sovereignty, none of the following shall be deemed a project for purposes of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code):~~

~~(A) The execution of an amendment of the tribal-state gaming compact ratified by this section.~~

~~(B) The execution of the tribal-state gaming compact ratified by this section.~~

~~(C) The execution of an intergovernmental agreement between a tribe and a county or city government negotiated pursuant to the express authority of, or as expressly referenced in, the tribal-state gaming compact ratified by this section.~~

~~(D) The execution of an intergovernmental agreement between a tribe and the California Department of Transportation negotiated pursuant to the express authority of, or as expressly referenced in, the tribal-state gaming compact ratified by this section.~~

~~(E) The on-reservation impacts of compliance with the terms of the tribal-state gaming compact ratified by this section.~~

~~(F) The sale of compact assets, as defined in subdivision (a) of Section 63048.6, or the creation of the special purpose trust established pursuant to Section 63048.65.~~

~~(2) Except as expressly provided herein, nothing in this subdivision shall be construed to exempt a city, county, or city and county, or the California Department of Transportation, from the requirements of the California Environmental Quality Act.~~

~~(c) Revenue contributions made to the state by the tribe pursuant to the tribal-state gaming compact ratified by this section shall be deposited in the General Fund.~~

SEC. 18. Article 9 (commencing with Section 12093.01) is added to Chapter 1 of Part 2 of Division 3 of Title 2 of the Government Code, to read:

Article 9. Tribal-State Gaming Compacts

12093.01. (a) The following tribal-state gaming compacts entered into in accordance with the Indian Gaming Regulatory Act of 1988 (18 U.S.C. Sec. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.) are hereby ratified:

(1) The compact between the State of California and the Alturas Rancheria, executed on September 10, 1999.

1 (2) *The compact between the State of California and the Barona*
2 *Band of Mission Indians, executed on September 10, 1999.*

3 (3) *The compact between the State of California and the Big*
4 *Sandy Rancheria Band of Mono Indians, executed on September*
5 *10, 1999.*

6 (4) *The compact between the State of California and the Big*
7 *Valley Rancheria, executed on September 10, 1999.*

8 (5) *The compact between the State of California and the Bishop*
9 *Paiute Tribe, executed on September 10, 1999.*

10 (6) *The compact between the State of California and the Blue*
11 *Lake Rancheria, executed on September 10, 1999.*

12 (7) *The compact between the State of California and the Buena*
13 *Vista Band of Me-wuk Indians, executed on September 10, 1999.*

14 (8) *The compact between the State of California and the*
15 *Cabazon Band of Mission Indians, executed on September 10,*
16 *1999.*

17 (9) *The compact between the State of California and the Cahto*
18 *Tribe of Laytonville, executed on September 10, 1999.*

19 (10) *The compact between the State of California and the*
20 *Cahuilla Band of Mission Indians, executed on September 10,*
21 *1999.*

22 (11) *The compact between the State of California and the Campo*
23 *Band of Mission Indians, executed on September 10, 1999.*

24 (12) *The compact between the State of California and the*
25 *Chemehuevi Indian Tribe, executed on September 10, 1999.*

26 (13) *The compact between the State of California and the*
27 *Chicken Ranch Rancheria, executed on September 10, 1999.*

28 (14) *The compact between the State of California and the Coast*
29 *Indian Community of the Resighini Rancheria, executed on*
30 *September 10, 1999.*

31 (15) *The compact between the State of California and the Colusa*
32 *Indian Community, executed on September 10, 1999.*

33 (16) *The compact between the State of California and the Dry*
34 *Creek Rancheria Band of Pomo Indians, executed on September*
35 *10, 1999.*

36 (17) *The compact between the State of California and the Elk*
37 *Valley Rancheria, executed on September 10, 1999.*

38 (18) *The compact between the State of California and the*
39 *Ewiiapaayp Band of Kumeyaay, executed on September 10, 1999.*

- 1 (19) *The compact between the State of California and the Hoopa*
2 *Valley Tribe, executed on September 10, 1999.*
3 (20) *The compact between the State of California and the*
4 *Hopland Band of Pomo Indians, executed on September 10, 1999.*
5 (21) *The compact between the State of California and the*
6 *Jackson Band of Mi-Wuk Indians, executed on September 10, 1999.*
7 (22) *The compact between the State of California and the Jamul*
8 *Indian Reservation, executed on September 10, 1999.*
9 (23) *The compact between the State of California and the La*
10 *Jolla Indian Reservation, executed on September 10, 1999.*
11 (24) *The compact between the State of California and the*
12 *Manzanita Tribe of Kumeyaay Indians, executed on September*
13 *10, 1999.*
14 (25) *The compact between the State of California and the Mesa*
15 *Grande Band of Mission Indians, executed on September 10, 1999.*
16 (26) *The compact between the State of California and the*
17 *Middletown Rancheria Band of Pomo Indians, executed on*
18 *September 10, 1999.*
19 (27) *The compact between the State of California and the*
20 *Morongo Band of Mission Indians, executed on September 10,*
21 *1999.*
22 (28) *The compact between the State of California and the*
23 *Mooretown Rancheria Concow Maidu Tribe, executed on*
24 *September 10, 1999.*
25 (29) *The compact between the State of California and the Pala*
26 *Band of Mission Indians, executed on September 10, 1999.*
27 (30) *The compact between the State of California and the*
28 *Paskenta Band of Nomlaki Indians, executed on September 10,*
29 *1999.*
30 (31) *The compact between the State of California and the*
31 *Pechanga Band of Luiseno Indians, executed on September 10,*
32 *1999.*
33 (32) *The compact between the State of California and the*
34 *Picayune Rancheria of Chukchansi Indians, executed on September*
35 *10, 1999.*
36 (33) *The compact between the State of California and the*
37 *Quechan Nation, executed on September 10, 1999.*
38 (34) *The compact between the State of California and the*
39 *Redding Rancheria, executed on September 10, 1999.*

1 (35) *The compact between the State of California and the*
2 *Rincon, San Luiseno Band of Mission Indians, executed on*
3 *September 10, 1999.*

4 (36) *The compact between the State of California and the*
5 *Rumsey Band of Wintun Indians, executed on September 10, 1999.*

6 (37) *The compact between the State of California and the*
7 *Robinson Rancheria Band of Pomo Indians, executed on September*
8 *10, 1999.*

9 (38) *The compact between the State of California and the*
10 *Rohnerville Rancheria, executed on September 10, 1999.*

11 (39) *The compact between the State of California and the San*
12 *Manuel Band of Mission Indians, executed on September 10, 1999.*

13 (40) *The compact between the State of California and the San*
14 *Pasqual Band of Mission Indians, executed on September 10, 1999.*

15 (41) *The compact between the State of California and the Santa*
16 *Rosa Rancheria Tachi Tribe, executed on September 10, 1999.*

17 (42) *The compact between the State of California and the Santa*
18 *Ynez Band of Chumash Indians, executed on September 10, 1999.*

19 (43) *The compact between the State of California and the*
20 *Sherwood Valley Rancheria Band of Pomo Indians, executed on*
21 *September 10, 1999.*

22 (44) *The compact between the State of California and the*
23 *Shingle Springs Band of Miwok Indians, executed on September*
24 *10, 1999.*

25 (45) *The compact between the State of California and the Smith*
26 *River Rancheria, executed on September 10, 1999.*

27 (46) *The compact between the State of California and the*
28 *Soboba Band of Mission Indians, executed on September 10, 1999.*

29 (47) *The compact between the State of California and the*
30 *Susanville Indian Rancheria, executed on September 10, 1999.*

31 (48) *The compact between the State of California and the Sycuan*
32 *Band of Kumeyaay Indians, executed on September 10, 1999.*

33 (49) *The compact between the State of California and the Table*
34 *Mountain Rancheria, executed on September 10, 1999.*

35 (50) *The compact between the State of California and the*
36 *Trinidad Rancheria, executed on September 10, 1999.*

37 (51) *The compact between the State of California and the Tule*
38 *River Indian Tribe, executed on September 10, 1999.*

1 (52) *The compact between the State of California and the*
2 *Tuolumne Band of Me-wuk Indians, executed on September 10,*
3 *1999.*

4 (53) *The compact between the State of California and the Twenty*
5 *Nine Palms Band of Mission Indians, executed on September 10,*
6 *1999.*

7 (54) *The compact between the State of California and the Tyme*
8 *Maidu Tribe, Berry Creek Rancheria, executed on September 10,*
9 *1999.*

10 (55) *The compact between the State of California and the United*
11 *Auburn Indian Community, executed on September 10, 1999.*

12 (56) *The compact between the State of California and the Viejas*
13 *Band of Kumeyaay Indians, executed on September 10, 1999.*

14 (57) *The compact between the State of California and the Coyote*
15 *Valley Band of Pomo Indians, executed on September 10, 1999.*

16 (b) *Any other tribal-state gaming compact entered into between*
17 *the State of California and a federally recognized Indian tribe*
18 *which is executed after September 10, 1999, is hereby ratified if*
19 *both of the following are true:*

20 (1) *The compact is identical in all material respects to any of*
21 *the compacts expressly ratified pursuant to subdivision (a). A*
22 *compact shall be deemed to be materially identical to a compact*
23 *ratified pursuant to subdivision (a) if the Governor certifies it is*
24 *materially identical at the time he or she submits it to the*
25 *Legislature.*

26 (2) *The compact is not rejected by each house of the Legislature,*
27 *two-thirds of the membership thereof concurring, within 30 days*
28 *of the date of the submission of the compact to the Legislature by*
29 *the Governor. However, if the 30-day period ends during a joint*
30 *recess of the Legislature, the period shall be extended until the*
31 *fifteenth day following the day on which the Legislature*
32 *reconvenes.*

33 (c) *The Legislature acknowledges the right of federally*
34 *recognized Indian tribes to exercise their sovereignty to negotiate*
35 *and enter into tribal-state gaming compacts that are materially*
36 *different from the compacts ratified pursuant to subdivision (a).*
37 *These compacts shall be ratified by a statute approved by each*
38 *house of the Legislature, a majority of the members thereof*
39 *concurring, and signed by the Governor, unless the statute contains*
40 *implementing or other provisions requiring a supermajority vote,*

1 *in which case the statute shall be approved in the manner required*
2 *by the Constitution.*

3 *(d) The Governor is the designated state officer responsible for*
4 *negotiating and executing, on behalf of the state, tribal-state*
5 *gaming compacts with federally recognized Indian tribes located*
6 *within the State of California pursuant to the federal Indian*
7 *Gaming Regulatory Act of 1988 (18 U.S.C. Sec. 1166 to 1168,*
8 *incl., and 25 U.S.C. Sec. 2701 et seq.) for the purpose of*
9 *authorizing class III gaming, as defined in that act, on Indian lands*
10 *within this state. Nothing in this section shall be construed to deny*
11 *the existence of the Governor's authority to have negotiated and*
12 *executed tribal-state gaming compacts prior to the effective date*
13 *of this section.*

14 *(e) Following completion of negotiations conducted pursuant*
15 *to subdivision (b) or (c), the Governor shall submit a copy of any*
16 *executed tribal-state compact to both houses of the Legislature for*
17 *ratification, and shall submit a copy of the executed compact to*
18 *the Secretary of State for purposes of subdivision (f).*

19 *(f) Upon receipt of a statute ratifying a tribal-state compact*
20 *negotiated and executed pursuant to subdivision (c), or upon the*
21 *expiration of the review period described in subdivision (b), the*
22 *Secretary of State shall forward a copy of the executed compact*
23 *and the ratifying statute, if applicable, to the Secretary of the*
24 *Interior for his or her review and approval, in accordance with*
25 *paragraph (8) of subsection (d) of Section 2710 of Title 25 of the*
26 *United States Code.*

27 *(g) In deference to tribal sovereignty, neither the execution of*
28 *a tribal-state gaming compact nor the on-reservation impacts of*
29 *compliance with the terms of a tribal-state gaming compact shall*
30 *be deemed to constitute a project for purposes of the California*
31 *Environmental Quality Act (Division 13 (commencing with Section*
32 *21000) of the Public Resources Code).*

33 *12093.02. The tribal-state gaming compact entered into in*
34 *accordance with the Indian Gaming Regulatory Act of 1988 (18*
35 *U.S.C. Secs. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.)*
36 *between the State of California and the Torres-Martinez Desert*
37 *Cahuilla Indians, executed on August 12, 2003, is hereby ratified.*

38 *12093.03. (a) The tribal-state gaming compact entered into*
39 *in accordance with the Indian Gaming Regulatory Act of 1988 (18*
40 *U.S.C. Secs. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.)*

1 *between the State of California and the La Posta Band of Diegueño*
2 *Mission Indians of the La Posta Indian Reservation, California,*
3 *executed on September 9, 2003, is hereby ratified.*

4 *(b) The tribal-state gaming compact entered into in accordance*
5 *with the Indian Gaming Regulatory Act of 1988 (18 U.S.C. Secs.*
6 *1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.) between the*
7 *State of California and the Santa Ysabel Band of Diegueño Mission*
8 *Indians of the Santa Ysabel Reservation, California, executed on*
9 *September 8, 2003, is hereby ratified.*

10 12093.04. *(a) The following amendments to tribal-state gaming*
11 *compacts entered into in accordance with the Indian Gaming*
12 *Regulatory Act of 1988 (18 U.S.C. Sec. 1166 to 1168, incl., and*
13 *25 U.S.C. Sec. 2701 et seq.) are hereby ratified:*

14 *(1) The amendment of the compact between the State of*
15 *California and the Pala Band of Mission Indians, executed on*
16 *June 21, 2004.*

17 *(2) The amendment of the compact between the State of*
18 *California and the Pauma Band of Luiseno Mission Indians of the*
19 *Pauma and Yuima Reservation, executed on June 21, 2004.*

20 *(3) The amendment of the compact between the State of*
21 *California and the Rumsey Band of Wintun Indians, executed on*
22 *June 21, 2004.*

23 *(4) The amendment of the compact between the State of*
24 *California and the United Auburn Indian Community, executed*
25 *on June 21, 2004.*

26 *(5) The amendment of the compact between the State of*
27 *California and the Viejas Band of Kumeyaay Indians, executed on*
28 *June 21, 2004.*

29 *(b) (1) In deference to tribal sovereignty, none of the following*
30 *shall be deemed a project for purposes of the California*
31 *Environmental Quality Act (Division 13 (commencing with Section*
32 *21000) of the Public Resources Code):*

33 *(A) The execution of an amendment of tribal-state gaming*
34 *compact ratified by this section.*

35 *(B) The execution of an intergovernmental agreement between*
36 *a tribe and a county or city government negotiated pursuant to*
37 *the express authority of, or as expressly referenced in, an amended*
38 *tribal-state gaming compact ratified by this section.*

39 *(C) The on-reservation impacts of compliance with the terms*
40 *of an amended tribal-state gaming compact ratified by this section.*

1 (D) *The sale of compact assets as defined in subdivision (a) of*
2 *Section 63048.6 or the creation of the special purpose trust*
3 *established pursuant to Section 63048.65.*

4 (2) *Except as expressly provided herein, nothing in this*
5 *subdivision shall be construed to exempt a city, county, or city and*
6 *county from the requirements of the California Environmental*
7 *Quality Act.*

8 12093.05. (a) *The following tribal-state gaming compacts and*
9 *amendments of tribal-state gaming compacts entered into in*
10 *accordance with the Indian Gaming Regulatory Act of 1988 (18*
11 *U.S.C. Sec. 1166 to 1168, incl., and 25 U.S.C. Sec. 2701 et seq.)*
12 *are hereby ratified:*

13 (1) *The amendment of the compact between the State of*
14 *California and the Buena Vista Rancheria of Me-Wuk Indians,*
15 *executed on August 23, 2004.*

16 (2) *The compact between the State of California and the Fort*
17 *Mojave Indian Tribe, executed on August 23, 2004.*

18 (3) *The compact between the State of California and the Coyote*
19 *Valley Band of Pomo Indians, executed on August 23, 2004.*

20 (4) *The amendment to the compact between the State of*
21 *California and the Ewiiapaayp Band of Kumeyaay Indians,*
22 *executed on August 23, 2004.*

23 (5) *The amendment to the compact between the State of*
24 *California and the Quechan Tribe of the Fort Yuma Indian*
25 *Reservation, executed on June 26, 2006.*

26 (b) *The terms of each compact apply only to the State of*
27 *California and the tribe that has signed it, and the terms of these*
28 *compacts do not bind any tribe that is not a signatory to any of*
29 *the compacts. The Legislature acknowledges the right of federally*
30 *recognized tribes to exercise their sovereignty to negotiate and*
31 *enter into compacts with the state that are materially different*
32 *from the compacts ratified pursuant to subdivision (a).*

33 (c) (1) *In deference to tribal sovereignty, none of the following*
34 *shall be deemed a project for purposes of the California*
35 *Environmental Quality Act (Division 13 (commencing with Section*
36 *21000) of the Public Resources Code):*

37 (A) *The execution of an amendment of a tribal-state gaming*
38 *compact ratified by this section.*

39 (B) *The execution of a tribal-state gaming compact ratified by*
40 *this section.*

1 (C) *The execution of an intergovernmental agreement between*
2 *a tribe and a county or city government negotiated pursuant to*
3 *the express authority of, or as expressly referenced in, a tribal-state*
4 *gaming compact or an amended tribal-state gaming compact*
5 *ratified by this section.*

6 (D) *The execution of an intergovernmental agreement between*
7 *a tribe and the California Department of Transportation negotiated*
8 *pursuant to the express authority of, or as expressly referenced*
9 *in, a tribal-state gaming compact or an amended tribal-state*
10 *gaming compact ratified by this section.*

11 (E) *The on-reservation impacts of compliance with the terms*
12 *of a tribal-state gaming compact or an amended tribal-state*
13 *gaming compact ratified by this section.*

14 (F) *The sale of compact assets, as defined in subdivision (a) of*
15 *Section 63048.6, or the creation of the special purpose trust*
16 *established pursuant to Section 63048.65.*

17 (2) *Except as expressly provided herein, nothing in this*
18 *subdivision shall be construed to exempt a city, county, or city and*
19 *county, or the California Department of Transportation, from the*
20 *requirements of the California Environmental Quality Act.*

21 (d) *Revenue contributions made to the state by tribes pursuant*
22 *to the tribal-state gaming compacts and amendments of tribal-state*
23 *gaming compacts ratified by this section shall be deposited in the*
24 *General Fund.*

25 12093.06. (a) *The following tribal-state compacts entered in*
26 *accordance with the Indian Gaming Regulatory Act of 1988 (18*
27 *U.S.C. Sec. 1166 et seq. and 25 U.S.C. Sec. 2701 et seq.) are*
28 *hereby ratified:*

29 (1) *The compact between the State of California and the Barona*
30 *Band of Mission Indians, executed on August 12, 1998.*

31 (2) *The compact between the State of California and the Big*
32 *Sandy Rancheria of Mono Indians, executed on July 20, 1998.*

33 (3) *The compact between the State of California and the Cher-Ae*
34 *Heights Indian Community of Trinidad Rancheria, executed on*
35 *July 13, 1998.*

36 (4) *The compact between the State of California and the Jackson*
37 *Rancheria Band of Miwuk Indians, executed on July 13, 1998.*

38 (5) *The compact between the State of California and the*
39 *Mooretown Rancheria of Concow/Maidu Indians, executed on*
40 *July 13, 1998.*

1 (6) *The compact between the State of California and the Pala*
2 *Band of Mission Indians, as approved by the Secretary of the*
3 *Interior on April 25, 1998.*

4 (7) *The compact between the State of California and the Redding*
5 *Rancheria, executed on August 11, 1998.*

6 (8) *The compact between the State of California and the Rumsey*
7 *Indian Rancheria of Wintun Indians of California, executed on*
8 *July 13, 1998.*

9 (9) *The compact between the State of California and the Sycuan*
10 *Band of Mission Indians, executed on August 12, 1998.*

11 (10) *The compact between the State of California and the Table*
12 *Mountain Rancheria, executed on July 13, 1998.*

13 (11) *The compact between the State of California and the Viejas*
14 *Band of Kumeyaay Indians, executed on or about August 17, 1998.*

15 *The terms of each compact apply only to the State of California*
16 *and the tribe that has signed it, and the terms of these compacts*
17 *do not bind any tribe that is not a signatory to any of the compacts.*

18 (b) *Any other compact entered into between the State of*
19 *California and any other federally recognized Indian tribe which*
20 *is executed after August 24, 1998, is hereby ratified if (1) the*
21 *compact is identical in all material respects to any of the compacts*
22 *ratified pursuant to subdivision (a), and (2) the compact is not*
23 *rejected by each house of the Legislature, two-thirds of the*
24 *membership thereof concurring, within 30 days of the date of the*
25 *submission of the compact to the Legislature by the Governor.*
26 *However, if the 30-day period ends during a joint recess of the*
27 *Legislature, the period shall be extended until the fifteenth day*
28 *following the day on which the Legislature reconvenes. A compact*
29 *will be deemed to be materially identical to a compact ratified*
30 *pursuant to subdivision (a) if the Governor certifies that it is*
31 *materially identical at the time he or she submits it to the*
32 *Legislature.*

33 (c) *The Legislature acknowledges the right of federally*
34 *recognized tribes to exercise their sovereignty to negotiate and*
35 *enter into compacts with the state that are materially different*
36 *from the compacts ratified pursuant to subdivision (a). These*
37 *compacts shall be ratified upon approval of each house of the*
38 *Legislature, a majority of the membership thereof concurring.*

39 (d) *The Governor is the designated state officer responsible for*
40 *negotiating and executing, on behalf of the state, tribal-state*

1 gaming compacts with federally recognized Indian tribes in the
2 State of California pursuant to the federal Indian Gaming
3 Regulatory Act of 1988 (18 U.S.C. Sec. 1166 et seq. and 25 U.S.C.
4 Sec. 2701 et seq.) for the purpose of authorizing class III gaming,
5 as defined in that act, on Indian lands. Nothing in this section shall
6 be construed to deny the existence of the Governor's authority to
7 have negotiated and executed tribal-state compacts prior to the
8 effective date of this section.

9 (e) The Governor is authorized to waive the state's immunity
10 to suit in federal court in connection with any compact negotiated
11 with an Indian tribe or any action brought by an Indian tribe under
12 the Indian Gaming Regulatory Act (18 U.S.C. Sec. 1166 et seq.
13 and 25 U.S.C. Sec. 2701 et seq.).

14 (f) In deference to tribal sovereignty, the execution of, and
15 compliance with the terms of, any compact specified under
16 subdivision (a) or (b) shall not be deemed to constitute a project
17 for purposes of the California Environmental Quality Act (Division
18 13 (commencing with Section 21000) of the Public Resources
19 Code).

20 (g) Nothing in this section shall be interpreted to authorize the
21 unilateral imposition of a statewide limit on the number of lottery
22 devices or of any allocation system for lottery devices on any
23 Indian tribe that has not entered into a compact that provides for
24 such a limit or allocation system. Each tribe may negotiate
25 separately with the state over these matters on a
26 government-to-government basis.

27 12093.07. (a) The following amendments to the tribal-state
28 gaming compacts entered into in accordance with the Indian
29 Gaming Regulatory Act of 1988 (18 U.S.C. Sec. 1166 to 1168,
30 incl., and 25 U.S.C. Sec. 2701 et seq.) are hereby ratified:

31 (1) (A) The amendment to the tribal state gaming compact
32 between the State of California and the Agua Caliente Band of
33 Cahuilla Indians, executed on August 8, 2006.

34 (B) The memorandum of agreement entered into between the
35 State of California and the Agua Caliente Band of Cahuilla
36 Indians, executed on June 27, 2007, is hereby approved.

37 (2) (A) The amendment to the tribal-state gaming compact
38 between the State of California and the Morongo Band of Mission
39 Indians, executed on August 29, 2006.

1 (B) *The memorandum of agreement entered into between the*
2 *State of California and the Morongo Band of Mission Indians,*
3 *executed on June 27, 2007, is hereby approved.*

4 (3) (A) *The amendment to the tribal-state gaming compact*
5 *between the State of California and the Pechanga Band of Luiseño*
6 *Mission Indians, executed on August 28, 2006.*

7 (B) *The memorandum of agreement entered into between the*
8 *State of California and the Pechanga Band of Luiseño Indians,*
9 *executed on June 27, 2007, is hereby approved.*

10 (4) *The tribal-state gaming compact between the State of*
11 *California and the Yurok Tribe of the Yurok Reservation, executed*
12 *on August 29, 2006.*

13 (b) (1) *In deference to tribal sovereignty, none of the following*
14 *shall be deemed a project for purposes of the California*
15 *Environmental Quality Act (Division 13 (commencing with Section*
16 *21000) of the Public Resources Code):*

17 (A) *The execution of an amendment to an amended tribal-state*
18 *gaming compact ratified by this section.*

19 (B) *The execution of an amended tribal-state gaming compact*
20 *ratified by this section.*

21 (C) *The execution of an intergovernmental agreement between*
22 *a tribe and a county or city government negotiated pursuant to*
23 *the express authority of, or as expressly referenced in, an amended*
24 *tribal-state gaming compact ratified by this section.*

25 (D) *The execution of an intergovernmental agreement between*
26 *a tribe and the California Department of Transportation negotiated*
27 *pursuant to the express authority of, or as expressly referenced*
28 *in, an amended tribal-state gaming compact ratified by this section.*

29 (E) *The on-reservation impacts of compliance with the terms*
30 *of an amended tribal-state gaming compact ratified by this section.*

31 (F) *The sale of compact assets, as defined in subdivision (a) of*
32 *Section 63048.6, or the creation of the special purpose trust*
33 *established pursuant to Section 63048.65.*

34 (2) *Except as expressly provided herein, nothing in this*
35 *subdivision shall be construed to exempt a city, county, or city and*
36 *county, or the California Department of Transportation, from the*
37 *requirements of the California Environmental Quality Act.*

38 (c) *Revenue contributions made to the state by tribes pursuant*
39 *to an amended tribal-state gaming compact ratified by this section*
40 *shall be deposited in the General Fund.*

1 12093.08. (a) *The following amendments to the tribal-state*
2 *gaming compacts entered into in accordance with the Indian*
3 *Gaming Regulatory Act of 1988 (18 U.S.C. Sec. 1166 to 1168,*
4 *incl., and 25 U.S.C. Sec. 2701 et seq.) are hereby ratified:*

5 (1) (A) *The amendment to the tribal-state gaming compact*
6 *between the State of California and the San Manuel Band of*
7 *Mission Indians, executed on August 28, 2006.*

8 (B) *The terms of the amended compact ratified by this paragraph*
9 *shall apply only to the State of California and the tribe that has*
10 *signed it, and shall not bind any tribe that is not a signatory to the*
11 *amended compact. The Legislature acknowledges the right of*
12 *federally recognized tribes to exercise their sovereignty to negotiate*
13 *and enter into compacts with the state that are materially different*
14 *from the amended compact ratified pursuant to this paragraph.*

15 (C) *The letter of agreement entered into between the State of*
16 *California and the San Manuel Band of Mission Indians, executed*
17 *on September 5, 2007, is hereby approved.*

18 (2) (A) *The amendment to the tribal-state gaming compact*
19 *between the State of California and the Sycuan Band of the*
20 *Kumeyaay Nation, executed on August 30, 2006.*

21 (B) *The terms of the amended compact ratified by this paragraph*
22 *shall apply only to the State of California and the tribe that has*
23 *signed it, and shall not bind any tribe that is not a signatory to the*
24 *amended compact. The Legislature acknowledges the right of*
25 *federally recognized tribes to exercise their sovereignty to negotiate*
26 *and enter into compacts with the state that are materially different*
27 *from the amended compact ratified pursuant to this paragraph.*

28 (C) *The memorandum of agreement entered into between the*
29 *State of California and the Sycuan Band of the Kumeyaay Nation,*
30 *executed on June 27, 2007, is hereby approved.*

31 (b) (1) *In deference to tribal sovereignty, none of the following*
32 *shall be deemed a project for purposes of the California*
33 *Environmental Quality Act (Division 13 (commencing with Section*
34 *21000) of the Public Resources Code):*

35 (A) *The execution of an amendment to an amended tribal-state*
36 *gaming compact ratified by this section.*

37 (B) *The execution of an amended tribal-state gaming compact*
38 *ratified by this section.*

39 (C) *The execution of an intergovernmental agreement between*
40 *a tribe and a county or city government negotiated pursuant to*

1 *the express authority of, or as expressly referenced in, an amended*
2 *tribal-state gaming compact ratified by this section.*

3 *(D) The execution of an intergovernmental agreement between*
4 *a tribe and the California Department of Transportation negotiated*
5 *pursuant to the express authority of, or as expressly referenced*
6 *in, an amended tribal-state gaming compact ratified by this section.*

7 *(E) The on-reservation impacts of compliance with the terms*
8 *of an amended tribal-state gaming compact ratified by this section.*

9 *(F) The sale of compact assets, as defined in subdivision (a) of*
10 *Section 63048.6, or the creation of the special purpose trust*
11 *established pursuant to Section 63048.65.*

12 *(2) Except as expressly provided herein, nothing in this*
13 *subdivision shall be construed to exempt a city, county, or city and*
14 *county, or the California Department of Transportation, from the*
15 *requirements of the California Environmental Quality Act.*

16 *(c) Revenue contributions made to the state by tribes pursuant*
17 *to an amended tribal-state gaming compact ratified by this section*
18 *shall be deposited in the General Fund, or as otherwise provided*
19 *in the amended compact.*

20 ~~SECTION 1. Article 9 (commencing with Section 12093.01)~~
21 ~~is added to Chapter 1 of Part 2 of Division 3 of Title 2 of the~~
22 ~~Government Code, to read:~~

23
24 ~~Article 9. Tribal-State Gaming Compacts~~
25

26 ~~12093.01. It is the intent of the Legislature that statutes relating~~
27 ~~to tribal-state gaming compacts be codified within this article.~~